

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: GARY V. PRIMEAU and	:	CHAPTER 13
CHRISTINE MARIE PRIMEAU	:	
Debtor(s)	:	
	:	
CHARLES J. DEHART, III	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	
	:	
GARY V. PRIMEAU and	:	
CHRISTINE MARIE PRIMEAU	:	
Respondent(s)	:	CASE NO. 5-20-bk-03544

TRUSTEE’S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 25th day of January, 2021, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)’ plan for the following reason(s):

1. Debtor(s)’ plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

Trustee alleges and avers that debtor(s)’ disposable income is greater than that which is committed to the plan based upon disposable income on Schedules I and J and specifically disputes the following amounts:

- a. Retirement loan (verification)
2. The Trustee avers that debtor(s)’ plan is not feasible based upon the following:
 - a. Secured claims not in plan. (Berwick Borough; Capital One Auto Loan.)
3. Trustee avers that debtor(s)’ plan is not feasible and cannot be administered due to the lack of the following:
 - a. 2020 Federal Income Tax return.
 - b. Last paystub dated December, 2020.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 1st day of February, 2021, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Erik Mark Helbing, Esquire
1328 Second Avenue
Berwick, PA 18603

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee2